

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

W.C. HERAEUS GMBH & Co. KG (a German
corporation), and HERAEUS INCORPORATED)
(a Delaware corporation),)

Plaintiffs,)

v.)

C.A. No. 04-904 (KAJ)

MARJORIE JOY LYNN as Personal Representative)
for the ESTATE OF DAVID MARK LYNN and as)
Trustee of the MARK AND MARJORIE LYNN)
REVOCABLE TRUST, LYNN PLASMA, INC.)
(an Idaho corporation), and NXEDGE, INC.)
(a Delaware corporation),)

Defendants.)

STIPULATION AND ORDER

It is hereby stipulated by the parties, subject to the approval of the Court, that the Second Amended Complaint attached hereto as Exhibit A may be filed. The Second Amended Complaint shall be deemed to be filed and served upon the entry of this Stipulation and Order.

MORRIS NICHOLS ARSHT & TUNNELL CONNOLLY BOVE LODGE & HUTZ LLP

/s/ Leslie A. Polizoti

/s/ Kevin M. Baird

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SO ORDERED this ____ day of May, 2005.

United States District Judge